

***United States Court of Appeals
for the Second Circuit***



JOINT APPENDIX

77-4030

UNITED STATES COURT OF APPEALS

For the Second Circuit

PETER NOLASCO CIEGO,

Petitioner

-against-

IMMIGRATION AND NATURALIZATION SERVICE,

Respondent

PETITION FOR REVIEW

BOARD OF IMMIGRATION APPEALS

JOINT APPENDIX

Edelman & Aronowitz
Attorneys for Petitioner
225 Broadway
New York, New York 10007



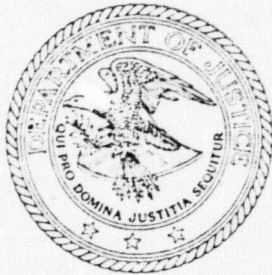
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Table of Contents

	<u>Page</u>
Decision and order of Board of Immigration Appeals, dated December 20, 1976	1
Letter from New York City Health and Hospitals Corporation, dated August 30, 1976, indicating hospitalization at the Bird S. Coler Memorial Hospital, from June 28, 1968, to November 17, 1969 . . .	4
Brief in support of appeal to the Board of Immigration Appeals, dated August 30, 1976	5
Opinion of the Board of Immigration Appeals in the matter of Dell Fat Git, dated October 1968, submitted in conjunction with brief in support of appeal	9
Notice of Appeal to the Board of Immigration Appeals, dated June 18, 1976	12
Oral Decision of the Immigration Judge, dated May 28, 1976	13
Transcript of Deportation Hearing held May 28, 1976 . .	17
Transcript of Deportation Hearing held June 11, 1976 . .	22
Application for Suspension of Deportation submitted May 28, 1976	47
Letter of December 17, 1968, to alien from Oral Roberts Evangelistic Association, Inc.	51
Envelopes postmarked February 5, 1969, and June 27, 1969, addressed to alien at Bird S. Coler Hospital . . .	52
Notice of special grant dated November 17, 1967	54
Notice of employment of alien, dated March 16, 1976 . .	55

	<u>Page</u>
Good Conduct Certificate relating to alien issued by New York City Police Department on March 23, 1976	56
Application for issuance of a subpoena made to Immigration Judge at deportation hearing	57
Biographic information sheet executed by alien . .	58
Order to show cause, notice of hearing and warrant for arrest of alien, dated March 5, 1976	59
Additional charge of deportability lodged on May 28, 1976	60
Warrant of Deportation, dated June 22, 1966	61
Warrant of Deportation, dated December 27, 1976 . .	63



United States Department of Justice

Board of Immigration Appeals

Washington, D.C. 20530

File: A14 804 552 - New York

In re: PETER NOLASCO CEIGO

DEC 20 1976

IN DEPORTATION PROCEEDINGS

APPEAL

ON BEHALF OF RESPONDENT: Charles Aronowitz, Esq.
Edelman & Aronowitz
225 Broadway
New York, N. Y. 10007

CHARGES:

Section 241(a)(2), I&N Act (8 U.S.C. 1251
(a)(2)) - Entered without inspection

APPLICATION: Suspension of deportation; voluntary departure

In a decision dated June 11, 1976, the immigration judge found the respondent deportable as charged, denied his applications for suspension of deportation and voluntary departure, and ordered his deportation to Belize. The respondent has appealed from that decision. The appeal will be dismissed.

The respondent was born on January 31, 1934 and is a native and citizen of Belize. He has been charged with deportability as an alien who entered the United States without inspection under section 241(a)(2) of the Immigration and Nationality Act. At the deportation hearing, the respondent admitted the allegations of fact in the Order to Show Cause and in the lodged charge and conceded deportability.

The respondent claims to have first entered the United States in March, 1963. On July 18, 1966 he was deported to Belize for having entered without inspection in violation of section 241(a)(2) of the Act. He admits having entered the United States without inspection again in September, 1966. On December 19, 1974, the respondent departed the United States, apparently to visit his parents in Belize, and returned on January 26, 1975, again entering without inspection. We are thus satisfied that deportability under section 241(a)(2) of the Act has been established by clear, convincing and unequivocal evidence.

Eligibility of the respondent for suspension of deportation is governed by section 244(a)(1) of the Act. That section requires that the respondent shall have been physically present in the United States continuously for a period of at least seven years immediately preceding the date of his application and that he prove that, during all of such period, he was and is a person of good moral character. In addition, the respondent has the burden of showing that his deportation would result in extreme hardship to himself or to specified United States citizen relatives.

The immigration judge denied the application on the ground that the respondent has not established the statutory requirement of at least seven years of continuous physical presence in the United States. In light of our following comments, we need not reach that question.

At the hearing, the respondent admitted having married in 1959 in Guatemala. Although he claims to have been separated from his wife since 1961, he stated that he never legally terminated the marriage, by divorce or otherwise. In view of the fact that he also admits having fathered an illegitimate child in the United States, we find that this constitutes adultery and he is therefore precluded from establishing good moral character by section 101(f)(2) of the Act.

A14 804 552

Furthermore, the respondent does not merit the privilege of suspension of deportation or voluntary departure. The granting of discretionary relief is not an automatic act conditioned solely upon a showing of statutory eligibility. It is a privilege and a matter of grace, accorded to a person where that person has established that he is worthy of it. Matter of Turcotte, 12 I&N Dec. 206 (BIA 1967). It is the respondent's burden of establishing that he is not only eligible for any requested benefit or privilege, but also that it should be granted in the exercise of discretion. See 8 C.F.R. 242.17(d). In view of the fact that he was previously deported from the United States, and has demonstrated no equities in his behalf, we do not feel that he merits the favorable exercise of discretion. See generally, Matter of Arai, 13 I&N Dec. 494 (BIA 1974).

The immigration judge was correct in denying counsel's request for issuance of a subpoena. Under 8 C.F.R. 287.4(a)(2) the party applying for a subpoena must affirmatively show, among other things, that the requested evidence is "essential." See Matter of Escobar, Interim Decision ____ (BIA October 18, 1976). Such a showing has not been made. Accordingly, the appeal will be dismissed.

ORDER: The appeal is dismissed.

Chairman



NEW YORK CITY HEALTH AND HOSPITALS CORP.
BIRD S. COLER MEMORIAL HOSPITAL
ROOSEVELT ISLAND
NEW YORK, N. Y. 10017

August 30, 1976

Edelman and Aronowitz
Attorneys and Counsellors at Law
225 Broadway
New York, N.Y. 10007

RE: Peter Ciego

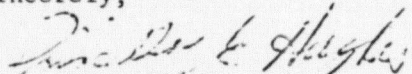
Att: Charles Aronowitz

Dear Sir:

In regard to your letter dated June 3, 1976 concerning verification of hospitalization on the above named please note the following:

Mr. Ciego was admitted to this hospital on June 23, 1968 and Discharge on November 17, 1969 to his own home - 463 St. Marks Avenue, Brooklyn, New York.

Sincerely,


Mrs. Priscilla E. Hughes
Medical Records Department
B2-35 Ext. 312

BLB:peh

(A-4)

UNITED STATES DEPARTMENT OF JUSTICE
BOARD OF IMMIGRATION APPEALS

-----X
In Re: '

PETER NOLASCO CIEGO,

File No.: A14 804 552
(New York City)

Appellant

-----X

BRIEF IN SUPPORT OF APPEAL

This matter relates to a 42-year-old native and citizen of British Honduras (Belize) who first entered the United States in 1964. He was deported from the United States on July 18, 1966, but he reentered shortly thereafter. He subsequently departed from the United States in mid-December 1974, returning toward the end of January 1975. His entries to the United States were without inspection. The appellant is married but has been separated from his wife for fifteen years.

The appellant was the victim of a mugging in New York City in 1968, which left him severely injured (transcript, p.14). Following that incident, the appellant resided in a mental institution for approximately two years. Even recently, he had exhibited signs of aberrational behavior (transcript, p.13).

Deportation proceedings were held on May 28, 1976, and June 11, 1976. The appellant applied for suspension of deportation under Section 244(a)(1) of the Act, and, in the alternative, for voluntary departure pursuant to Section 244(e). Both applications

were denied by the Immigration Judge. The appellant appeals from both determinations.

The appellant appears to be a person of diminished mental capacity. As may be seen from the transcript, his responses frequently do not relate to the questions. In view of his record of confinement to a mental institution and recently having been arrested for urinating in the subway, counsel requested the Immigration Judge to issue a subpoena pursuant to 8 C.F.R. 287.4(a)(2), upon the Bird S. Coler Hospital, Roosevelt Island, New York, New York, to compel the production of all medical and psychiatric records relating to the respondent. Counsel had been unable to obtain said records without a subpoena.

The Immigration Judge refused to issue the subpoena and, over objections, insisted upon the questioning of the appellant. It is by no means clear that the appellant totally understands the nature and quality of his acts. In the absence of the hospital records and without a current psychiatric evaluation, the forced questioning of the appellant was erroneous.

The appellant claims that he has been physically present in the United States, within the contemplation of Section 244(a)(1) of the Act, since his reentry in September 1966, following his deportation in July 1966. The Immigration Judge held that his five-week absence between December 1974 and January 1975, interrupted the required period of physical presence, citing Matter of Barragan, 13 I&N Dec. 759.

This matter is clearly distinguishable from Barragan. In Barragan, the subject alien had twice been apprehended and left for short periods of time under voluntary departure rather than submit to deportation proceedings. The Board held that these were "enforced" departures and considered such departures "two clear breaks in the required continuity of physical presence in the United States."

The appellant's departure in December 1974, was not "enforced". More appropriate than Barragan, is the Matter of Dell Fat Git aka Yee Fat Git, decided by the Board on October 3, 1968, and appended hereto. Citing Rosenberg v. Fleuti, 375 U.S. 449, Wadman v. Immigration and Naturalization Service, 329 F.2d 812 (9th Cir., 1964), Git Foo Wong v. Immigration and Naturalization Service, 359 F.2d 151 (9th Cir., 1966), Toon Ming Wong v. Immigration and Naturalization Service, 363 F.2d 234 (9th Cir., 1966) and Matter of Wong, Int. Dec. 1745 (May 10, 1967), the Board concluded that Git's absence from the United States for a period of three months and twenty-two days - an absence three times as lengthy as the appellant's - did not preclude his compliance with the physical presence requirement of Section 244(a)(1).

The Immigration Judge further denied the appellant's application for suspension of deportation on the ground that he had failed to establish the extreme hardship required by the statute.

The transcript offers a poignant description of the appellant's mental and physical situations. Despite these disabilities he is able to function in our society, albeit marginally. His forced

removal might well result in catastrophe for this man. It would not harm the Government to extend a little mercy to the appellant. Especially since his mental and physical problems appear to have arisen from his having been mugged in New York City!

The Immigration Judge, further, denied the appellant's alternative request for voluntary departure. He erred in not making any determination as to whether or not the appellant was statutorily eligible for such relief. The Immigration Judge appears to have concluded that the appellant was not eligible for voluntary departure because he was previously deported from the United States. (Transcript of decision, P.4) A previous deportation does not preclude a subsequent grant of voluntary departure.

The element of discretion does not appear to have played a part in either of the two decisions of the Immigration Judge appealed from.

It is requested that the Board find the appellant statutorily eligible for both forms of relief sought and remand this matter to the Immigration Judge for consideration as to whether or not the appellant merits the favorable exercise of discretion with respect thereto.

Dated: August 30, 1976
New York, New York

Charles Aronowitz
Edelman & Aronowitz
Attorneys for Appellant

UNITED STATES DEPARTMENT OF JUSTICE
Board of Immigration Appeals

File: A-12864124 - Boston

In re: DELL FAT GIT aka YEE FAT GIT

IN DEPORTATION PROCEEDINGS

MOTION

ON BEHALF OF RESPONDENT: Benjamin Gim, Esquire
217 Park Row
New York, New York 10038
(Brief filed)

ON BEHALF OF I&N service: Charles Gordon
General Counsel
(Brief filed)

Irving A. Appleman
Appellate Trial Attorney
(Memorandum filed)

CHARGES:

Order: Section 241(a)(1), I&N Act (8 USC 1251
(a)(1)) - Immigrant - no visa

Lodged: None

APPLICATION: Reconsideration by the Board of its prior
order granting suspension of deportation
under Section 244(a)(1), I&N Act (8 USC
1254(a)(1))

The Immigration and Naturalization Service through its
General Counsel moves the Board to reconsider its decision
of June 13, 1968 in which the Board reversed the decision

BEST COPY AVAILABLE

of the special inquiry officer and granted respondent suspension of deportation under Section 244(a)(1) of the Immigration and Nationality Act. The Service contends that this Board erred in its interpretation of the law relative to the requirements of Section 244(a)(1) which requires that an applicant for suspension must have been continuously physically present in the United States for seven years immediately prior to the application.

The biographical information relative to the respondent has already been set forth in detail in our prior decision and in the decision of the special inquiry officer which preceded it and also in the instant motion, so will not be detailed at this time. The facts relative to the respondent's absence from the United States for a period of three months and twenty-two days have also previously been set forth and it is also not necessary to recount these facts at this time.

The sole question, of course, is whether this absence from the United States for the three months and twenty-two days precludes respondent from being granted suspension of deportation on the basis that such absence broke his "continuous physical presence" in the United States. Our previous decision, of course, held that it did not, and respondent, being otherwise statutorily eligible for the relief requested, was granted suspension.

Most careful consideration has been given to the very thorough and well documented briefs filed by both the respondent and the Service in connection with the instant motion. We have carefully considered the factual situation and each factor having a bearing upon the question of whether respondent's absence from the United States was such as to result in an interruption of his continuous physical presence in the United States, in light of the basic and numerous cases, including the principal cases of Rosenberg v. Fleuti, 375 U.S. 449, Wadman v. Immigration and Naturalization Service, 329 F.2d 812 (9th Cir., 1964).

Git Foo Wong v. Immigration and Naturalization Service, 359 F.2d 151 (9th Cir., 1966), Toon Ming Wong v. Immigration and Naturalization Service, 363 F.2d 234 (9th Cir., 1966) and Matter of Wong, Int. Dec. 1745 (May 10, 1967). We have again reached the conclusion that respondent is not precluded from the relief of suspension of deportation by reason of his absence from the country, which we again hold did not interrupt his continuous physical presence in the United States. We hold that the facts relative to his departure, his absence, and his return to the United States, considered separately and cumulatively, are not sufficient to deprive him of the discretionary relief sought.

We specifically observe that we do not think that a person's destination, regardless of its distance from the United States has any bearing upon a determination of whether there was an interruption of physical presence in the United States. None of the cited cases was decided upon the basis of the destination and distance from the United States being a factor in the overall consideration.

Accordingly, after reconsidering our prior decision by reason of the motion filed by the Service, we will affirm our previous decision in which we granted the relief of suspension of deportation to the respondent under Section 244(a)(1), Immigration and Nationality Act.

ORDER: It is ordered that no change be made in our order of June 23, 1968.

Chairman

NOTICE OF APPEAL TO THE BOARD OF IMMIGRATION APPEALS

SUBMIT IN TRIPLICATE TO:
IMMIGRATION AND NATURALIZATION SERVICE

Fee Stamp

In the Matter of:

Peter Nolasco Ciego

File No.

A14 304 552

1. I hereby appeal to the Board of Immigration Appeals from the decision, dated June 11, 1976 in the above entitled case.

2. Briefly, state reasons for this appeal.

In view of the appellant's long-term confinement in a mental hospital and evidence of recent abnormal behavior, the Immigration Judge erred in refusing to issue a subpoena to compel production of hospital records and in compelling testimony prior to an adjudication of competence. The appellant's brief departure in 1974, did not necessarily interrupt the physical presence required for benefits under Section 244(a)(1). Contrary to the decision of the Immigration Judge, the appellant has established the requisite degree of hardship contemplated by that statute. With respect to the application, in the alternative, for voluntary departure, the Immigration Judge neglected to rule on the appellant's statutory eligibility therefor, and, in view of the physical attack upon the appellant which precipitated years of hospitalization, the denial of voluntary departure was a clear abuse of discretion.

3. I do not desire oral argument before the Board of Immigration Appeals in Washington, D. C.

4. I am not filing a separate written brief or statement.

Please furnish

me with a transcript of the hearings and of the Immigration Judge's decision.

Charles Aronowitz
(Signature of Appellant or of attorney or representative)

Charles Aronowitz
(Print or type name)

225 Broadway

Address (Number, Street, City, State, Zip) New York, N.Y. 1000

June 18, 1976
Date

IMPORTANT: SEE INSTRUCTIONS ON REVERSE SIDE OF THIS NOTICE

(A-12)

UNITED STATES DEPARTMENT OF JUSTICE
Immigration and Naturalization Service

MAY 28 1976

File: A14 604 552 - New York, New York

In the Matter of:)

PETER MOLASCO CIEGO)

In Deportation Proceedings

- Respondent -)

CHARGE: Section 241(a)(2) - entered without inspection.

APPLICATION: I & N Act - Section 244(a)(1) - 8 USC 1254(a)(1) -
Suspension of Deportation - Voluntary Departure in
the alternative.

In Behalf of Respondent:

Charles Aronowitz, Esq.
225 Broadway
New York, N. Y. 10007

In Behalf Of Service:

William Strasser, Esq.
Trial Attorney
New York, N.Y. 10007

GRAL DECISION OF THE IMMIGRATION JUDGE

The respondent is a native and citizen of Belize who entered the United States near San Ysidro, California on September, '66. At that time he was not inspected by the Immigration Service. The attorney has conceded the allegations in the Order to Show Cause and has conceded he is deportable from the United States.

The government chose then to lodge an additional charge against the respondent on May 23, 1976. This charge being lodged upon him the case was adjourned and the hearing held today on the lodged charge. The attorney for the respondent conceded the allegations in the lodged charge and

admitted that his client is deportable based on the lodged charge. The lodged charge being that he entered the United States at MacAllen, Texas on or about January 26, 1975 and at that time he did not present himself to be inspected. The respondent has testified that he has resided in the United States from about 1964, and has made two short trips out of the United States, one in 1966 which was for three months and one in 1974 which was approximately for more than five weeks. The respondent testified that he has no family ties in the United States other than an illegitimate child and that if he was to return to Belize he could not be able to obtain suitable employment.

The respondent through his attorney has requested the court to subpoena the records of the Bird S Coler Hospital on Roosevelt Island, New York in order to establish the respondent's mental capacity. The respondent through his attorney cites 8 CFR 237.428(a)(2) giving the authority to the Immigration Judge to issue a subpoena. 8 CFR 237.462 states that the Immigration Judge has the authority to issue a subpoena but evidence of the essential nature of this and the necessity of this testimony must first be shown before a subpoena will be issued.

The respondent's attorney was given adequate opportunity to question his client and has refused to question his client to establish the necessity of this testimony, I therefore will deny his request. The respondent has testified that on December of 1974 he departed the United States by air plane to Miami and then on to Belize to visit his parents. He testified that he then

took a bus from Belize to Mexico then on to MacAllen, Texas in order to enter the United States. He gave a detailed account of this trip and testified that prior to leaving the United States he was full aware that he was to return to the United States, and was fully aware how he could enter the United States without inspection. The respondent also applied for voluntary departure.

Respondent has applied for Suspension of Deportation under Section 244 (a) (1) of the I & N Act, 8 USC 1254(a) (1) claiming continuous physical presence in the United States for more than seven year period of his application and that his deportation result in an extreme hardship to himself. Deportation is not predicated on any provisions of law specified in Section 244(a) (2) of that Act. In order for him to establish eligibility under Section 244, of the Immigration Act the alien must establish hardship to himself or a spouse, parent or child who is a citizen of the United States or an alien lawfully admitted for permanent residence. The respondent has no such relationship and has failed to establish any extreme hardship to himself or any relationship. The respondent clearly is not eligible for Suspension of Deportation because he does not have the required physical presence in the United States. The departure in 1974 clearly terminates his physical presence in the United States and his entry into the United States in January of 1975 is a new entry and therefore, eligibility will be judged from that period of time and he clearly does not have the seven years in the United States. In the Matter of Branagan 13, I & N 759, the board has held these absences from the United States are meaningful and therefore, negate the continuity and

renders the person ineligible for suspension. Assuming he would have had the physical presence in the United States I conclude he is not eligible for suspension because he hasnot established extreme hardship and I will deny the application.

The respondent testified that he was deported from the United States on July 18, 1966 and the service has offered into evidence Exhibit 5, a warrant of deportation establishing this fact. The respondent has requested that the court grant him voluntary departure, I will deny this request. He has requested that in case deportation becomes necessary he be deported to Belize. I will enter the following orders: I will not allow him voluntary departure in view of the fact that he was previously deported from the United States he is not eligible for voluntary departure.

ORDER: IT IS ORDERED THAT respondent's application for Suspension of Deportation under Section 244(a)(1) of the Immigration and Nationality Act as amended, be denied.

IT IS FURTHER ORDERED THAT the respondent be deported from the United States to Belize on the charge contained in the lodged charge and the Order to Show Cause.

Anthony M. DeGaetano

ANTHONY M. DEGAETO
Immigration Judge

UNITED STATES DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

MATTER OF

FILE A- 14 804 552

ELTER MOLASCO CIBGO

IN DEPORTATION PROCEEDINGS

TRANSCRIPT OF HEARING

Before: ANTHONY M. DE GAETIO, Immigration Judge

pages 1 - 4

Date: May 28, 1976 Place: 20 W. Broadway - New York City 10007

Transcribed by Maria E. Negron Recorded by Lanier/Elisette 1977

Official Interpreter NONE

Language English

APPEARANCES:

For the Service:

William Strasser, Esq.

Trial Attorney

New York, New York 10007

Station

For the Respondent:

Charles Arcowitz, Esq.

225 Broadway

New York, New York 10007

1 IMMIGRATION JUDGE TO RESPONDENT: (ENGLISH):
2 Q. What is your name?
3 A. Peter Ceigo., sir.
4 Q. Is Mr. Aronowitz your attorney?
5 A. Yes, sir.
6 IMMIGRATION JUDGE: You ready to proceed Mr. Aronowitz?
7 MR. ARONOWITZ: Yes, your honor.
8 IMMIGRATION JUDGE: Are you ready to proceed Mr. Strasser?
9 MR. STRASSER: Yes, we are anything the governments says, your honor.
10 IMMIGRATION JUDGE TO RESPONDENT:
11 Q. All right will you stand and raise your right hand now. Do you solemnly
12 swear the testimony you are about to give is the truth, the whole
13 truth and nothing but the truth so help you God?
14 A. Yes, sir.
15 IMMIGRATION JUDGE: Mr. Aronowitz in behalf Of your client do you admit the
16 receipt of the Order to Show Cause?
17 MR. ARONOWITZ: Yes, sir.
18 IMMIGRATION JUDGE: Waive the reading of the allegations?
19 MR. ARONOWITZ: Yes, sir.
20 IMMIGRATION JUDGE: Admit the truth of the allegations?
21 MR. ARONOWITZ: Yes, sir.
22 IMMIGRATION JUDGE: Admit its deportability based on the charge contained
23 in the Order to Show Cause?
24 MR. ARONOWITZ: Yes, sir.
25 IMMIGRATION JUDGE: And what are you requesting?
26 MR. ARONOWITZ: Suspension of Deportation, your honor and in the alternative

1 Voluntary Departure.

2 IMMIGRATION JUDGE: Have you got the papers for suspension?

3 MR. ARONOWITZ: Yes.

4 IMMIGRATION JUDGE: You want to show it to the Trial Attorney? Mr. Strasser?

5 MR. STRASSER: Your honor, the government has seen this application and there

6 appears to be a certain inaccuracy about it.

7 IMMIGRATION JUDGE: Do you have any objection to its going into evidence ...

8 MR. STRASSER: ... I haven't, your honor.

9 IMMIGRATION JUDGE: ... I'll have it looked over. All right then we'll take

10 it in and mark it Exhibit number two, Exhibit number one being the

11 Order to Show Cause. Mr. ARonowitz, do you have the G-325 there?

12 MR. ARONOWITZ: Yes.

13 IMMIGRATION JUDGE: You want to give that to the Trial Attorney? Will you

14 get a copy of this application, Mr. Strasser for yourself?

15 MR. STRASSER: Yes, the government has a copy. I got it from the respondent's

16 counsel.

17 IMMIGRATION JUDGE: All right. Will you go over with this application with

18 your client Mr. ARonowitz and let see if all these statements are

19 correct on this application.

20 MR. ARONOWITZ: I'm not going over the application Mr. Ciego, will you look

21 it over again and make sure that everything on there is correct in as

22 far as you know.

23 IMMIGRATIONJUDGE: Did you go over this application with your client?

24 MR. ARONOWITZ: Yes, sir.

25 IMMIGRATION JUDGE TO RESPONDENT:

26 Q. Have you got all the application Mr. ...?

1 A.

2 MR. ARONOWITZ: Wait a minute will you rephrase, this is Mr. Ciego.

3 IMMIGRATION JUDGE: Ciego, I'm sorry.

4 IMMIGRATION JUDGE TO RESPONDENT:

5 Q. Mr. Ciego, did you go over this application?

6 A. Yes, sir.

7 Q. Is it all correct?

8 A. Yes, sir.

9 IMMIGRATION JUDGE: Now will you sign it in the two places indicated. Mr.

10 Aronowitz will you show him where I indicated that he should sign it.

11 IMMIGRATION JUDGE TO RESPONDENT:

12 Q. In case you have to be deported Mr. Ciego, to what country do you

13 want to be sent?

14 A. Belize.

15 Q. Belize?

16 A.

17 IMMIGRATION JUDGE: Is there anything else you want to submit Mr. Aronowitz

18 any other exhibit?

19 MR. ARONOWITZ: Well, not this time we'll assemble some additional exhibit

20 and bring them in next week.

21 IMMIGRATION JUDGE: How do you know it's going to be adjourned till next

22 week, Mr. Aronowitz?

23 MR. ARONOWITZ: Your honor, well I thought we were having a lodged charge.

24 IMMIGRATION JUDGE: The government's lodging another charge against you?

25 MR. STRASSER: Your honor, in view of the Information submitted on the ap-

26 plication for Suspension of Deportation the government feels that it

1
2
3 would be appropriate to lodge additional allegation in support of
4 charges regarding the deportability of the respondent and in line with
5 that I'm now supporting upon the respondent's counsel the additional
6 allegations and the charges upon which the government will proceed
7 against the respondent from this case. In addition to all of the other
8 charges ...

9 IMMIGRATION JUDGE: Serve them on the respondent.

10 IMMIGRATION JUDGE TO RESPONDENT:

11 Mr. Ciego, the government is now charging you that you entered the
12 United States at Mac Allen,

13 you did not present yourself to be inspected, do you understand what
14 they're doing now?
15 Yes.

16 IMMIGRATION JUDGE: Mr. Aronowitz, you received the copy of the lodged
17 charge?

18 MR. ARONOWITZ: Yes, your honor.

19 IMMIGRATION JUDGE: You waived the seven days?
20 No, your honor we're going to assemble some additional material
21 so that ...

22 IMMIGRATION JUDGE: This will be set down for a hearing seven days from today.
23 Mr. Aronowitz, the case will be adjourned then to the eleventh of
24 June for all purposes at that time I hope we complete it.

25 MR. ARONOWITZ: I certainly think so.

26 I hereby certify that to the best of my knowledge and
27 belief the foregoing pages numbered 1 through 4
28 are a complete and accurate transcript of the above-
29 described proceedings.

30
UNITED STATES DEPARTMENT OF JUSTICE
-4- (A-21)
TRANSCRIPT OF HEARING
Immigration and Naturalization Service
Signature *Maria E. Negro*
Title *Transcriber*

UNITED STATES DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

MATTER OF

FILE A- 14 804 552

PETER NOLASCO CIEGO

IN DEPORTATION PROCEEDINGS

TRANSCRIPT OF HEARING

Before: Anthony M. DeGaeto, Immigration Judge

Pages 5 - 23

Date: June 11, 1976 Place: 20 W. Broadway - New York City 10007

Transcribed by Maria E. Negron Recorded by Lanier/Edisette 1977

Official Interpreter NONE

Language English

APPEARANCES:

For the Service:

William Strasser, Esq.
Trial Attorney

New York, New York 10007
Station

For the Respondent:

Charles Aronowitz, Esq.

225 Broadway

New York, New York 10007

1 IMMIGRATION JUDGE TO RESPONDENT (ENGLISH):
2 Q. What is your name?
3 A.
4 MR. ARONOWITZ: Your honor, I ...
5 IMMIGRATION JUDGE: ... well lets find out if we have the man in front of
6 me.
7 MR. ARONOWITZ: All right, go ahead.
8 IMMIGRATION JUDGE TO RESPONDENT:
9 Q. What is your name, sir?
10 A. ... Ciego.
11 Q. Your full name?
12 A. Peter Ciego.
13 IMMIGRATION JUDGE: All right, Mr. ARonowitz are you ready to proceed now?
14 MR. ARONOWITZ: No, your honor we are not ready to proceed at this time. I
15 have here an application for issuance of a subpoena pursuant to 8 CFR
16 287.482 to compel the production of hospital records. This man has
17 been in a mental institution for several years and upon the production
18 of thsee records I will request that he be given a thorough and cur-
19 rent psychiatric evaluation so that we may be sure that he is compe-
20 tent to give testimony.
21 OFF THE RECORD. - ON THE RECORD.
22 IMMIGRATION JUDGE: The regulations state that you must show me that an ef-
23 fort was made to obtain these records and you'll have to show that
24 this is important to the outcome of this case. I will take tes ony
25 and during the testimony if you show me and I feel it's necessary
26 that the information is needed, I will then comply with your request.

1 MR. ARONOWITZ: Your honor ...
2 IMMIGRATION JUDGE: I will take testimony today Mr. Aronowitz.
3 MR. ARONOWITZ: Your honor, upon the advise of counsel Mr. Ciego will not
4 offer testimony. I request that we have an adjournment for approxi-
5 mately two weeks which should be sufficient...
6 IMMIGRATION JUDGE: ... Mr. Aronowitz, if your client is pleading the Fifth
7 Amendment he will plead it himself, not you. I'll ask him questions
8 or the Trial Attorney to ask him questions and he will tell us why
9 he won't answer me.
10 MR. ARONOWITZ: Okay.
11 IMMIGRATION JUDGE: But we will start the hearing today, Mr. Aronowitz.
12 MR. ARONOWITZ: Mr. Ciego, may I confer with him.
13 OFF THE RECORD - ON THE RECORD.
14 IMMIGRATION JUDGE: Now Mr. Aronowitz you are, at the last hearing filed an
15 application for Suspension of Deportation, will you like to question
16 your client On his eligibility on suspension.
17 MR. ARONOWITZ: Was the discussion we had previously on the record?
18 IMMIGRATION JUDGE: Everything was on the record, Mr. ARonowitz.
19 MR. ARONOWITZ: In that case my answer to your question is no, but I would
20 like to submit a document ...
21 IMMIGRATION JUDGE: ... but Mr. Aronowitz, I don't understand you. In order
22 for you to establish that the man is eligible for Suspension you
23 must question him about hardship.
24 MR. ARONOWITZ: Yes, I was merely like ...
25 IMMIGRATION JUDGE: So I'd like you to at this time question your client on
26 hardship.

1 MR. ARONOWITZ: Your honor, this man is a deminished mental catastrophe ...
2 IMMIGRATION JUDGE: Mr. Aronowitz, are you telling me then you are not ques-
3 tioning your client?
4 MR. ARONOWITZ: At this time I request ...
5 IMMIGRATION JUDGE: I'm asking you, then you are not, in other words your
6 letting the application stay as is.
7 MR. ARONOWITZ: We are not prepared to give testimony at this time for the
8 reasons previously outlined.
9 IMMIGRATION JUDGE: Mr. Strasser, do you want to question?
10 MR. STRASSER: The government has no questions, your honor.
11 IMMIGRATION JUDGE: No, questions?
12 MR. ARONOWITZ: Your honor, I'd like to submit documentation consisting some
13 hospital records for the purpose of establishing continuity of resi-
14 dence, plus a good conduct certificate from New York City.
15 IMMIGRATION JUDGE: And that is all you're going to submit and you're resting
16 on ...
17 MR. ARONOWITZ: Yes, sir.
18 IMMIGRATION JUDGE: I want you to question your client on suspension, right
19 now Mr. Aronowitz!
20 MR. ARONOWITZ: Your honor.
21 IMMIGRATION JUDGE: All right Mr. Aronowitz, you have given your point and
22 it's well taken. Mr. Strasser, do you want to question ?
23 MR. STRASSER: Yes, the government will question, your honor.
24 IMMIGRATION JUDGE: Fine, good.
25 MR. ARONOWITZ: Objection, your honor he is just ...
26 IMMIGRATION JUDGE: Your objection is noted and over-ruled. Continue Mr.

1 Strasser.

2 MR. STRASSER TO RESPONDENT:

3 Q. Mr. Ciego, where do you live now?

4 A. I'm not going to answer no questions until I get a chance to get a

5 psychiatric test.

6 Q. Are you refusing to answer my question, then?

7 A. Yes, yes, sir.

8 MR. STRASSER: You are required to answer the question, as from what I under-

9 stand according to the law unless you're claiming some constitutional

10 privilege.

11 IMMIGRATION JUDGE TO RESPONDENT:

12 Q. Where do you live Mr. Ciego?

13 A. I live 471 West 125th Street.

14 Q. Where do you work Mr. Ciego?

15 A. Salton.

16 MR. ARONOWITZ: Your honor, I object to ...

17 IMMIGRATION JUDGE: Your objection is noted Mr. Aronowitz.

18 MR. STRASSER TO RESPONDENT:

19 Q. And when was the last time that you came into the United States Mr.

20 Ciego?

21 A.

22 IMMIGRATION JUDGE: Mr. Strasser, I'm sorry before you proceed, Mr. Aronowitz

23 I just noticed an additional charge which was charged against your

24 client on May 28, 1976 at that time you asked for an adjournment of

25 seven days in order to prepare for the additional charges. I ask you

26 at this time do you admit the receipt of the notice of additional

1 charges?
2 MR. ARONOWITZ: Yes, your honor.
3 IMMIGRATION JUDGE: You waive the reading of the additional charges?
4 MR. ARONOWITZ: Yes, your honor.
5 IMMIGRATION JUDGE: Do you admit the truth of the additional charges?
6 MR. ARONOWITZ: Well, lets see. I admit in behalf of the respondent that he
7 did enter the United States without inspection we are not prepared,
8 well it says, "on or about", in that case I admit the charges.
9 IMMIGRATION JUDGE: Fine, then therefore you do admit that he is deportable
10 based on those charges?
11 MR. ARONOWITZ: Yes, your honor.
12 IMMIGRATION JUDGE: You may continue now Mr. Strasser. Thank you Mr. ARonowitz.
13 MR. STRASSER TO RESPONDENT:
14 Q. Now Mr. Ciego, are you married?
15 A. Under the advice of my counsel I will not answer no questions, sir.
16 IMMIGRATION JUDGE TO RESPONDENT:
17 Q. Mr. Ciego, are you married?
18 A.
19 IMMIGRATION JUDGE: Mr. Aronowitz, is your client pleading the Fifth Amend-
20 ment?
21 MR. ARONOWITZ: No, yo-ur honor.
22 IMMIGRATION JUDGE: Then he will answer the questions.
23 IMMIGRATION JUDGE TO RESPONDENT:
24 Q. Are you married?
25 A. Yes, sir.
26 MR. STRASSER TO RESPONDENT:

1 Q. And when were you married, sir?
2 A. September, sir at 26.
3 Q. What year?
4 A. '59.
5 Q. What country were you married?
6 A. In Guatemala.
7 Q. And your wife what country is she a citizen of?
8 A. She is a citizen of Guatemala but she is born in Honduras.
9 Q. And when was she born?
10 A. She's born in February, I think it was.
11 Q. And where does she live?
12 A. She lives, I don't know where she lives now, sir..
13 Q. Doyou have any family living here with you here in the United States,
14 close family?
15 A. A cousin, sir.
16 Q. Is your spouse living with you in the United States?
17 A. No, sir.
18 Q. Do you have any children?
19 A. Yes, sir. One here.
20 Q. You have one child?
21 A. Yes, sir. One born here in America.
22 Q. From your wife?
23 A. No, my common law.
24 Q. So you have no legitimate children, you have no children from a law-
25 ful marriage?
26 A. No, I don't.

1 Q. Living here in the United States?
2 A. You talking about ...
3 Q. You have any children from your lawful marriage living here with you,
4 living here in the United States?
5 A. No, sir none.
6 Q. Do you have any other close family relatives living here in the United
7 States?
8 A. Yes, sir.
9 Q. Who do you have?
10 A.
11 Q. The relationship?
12 A. The relationship with me my aunt, my godparents are here and my cousins
13 here.
14 Q. Cousins of the closes relationship?
15 A. Yes, sir.
16 Q. How Long have you been working for your present employer?
17 A. One minute now, sir. The 29th of May I think.
18 Q. Were you working for him, your present employer Salton prior to, have
19 you been working for this last employer since your last entry into
20 the United States?
21 A. Oh yes, sir.
22 Q. Who did you work for before Salton Incorporated?
23 A. Precision.
24 Q. Precision Furniture Company?
25 A. Yes, sir.
26 Q. And how long did you work for that company?

1 A. I worked there four years.

2 Q. When did you finish your employment with Precision Furniture Company?

3 A. That was the eighteenth or nineteenth of December, I think it was.

4 Q. Of what year?

5 A. '74.

6 Q. And how much do you make at your present employment?

7 A. Now I'm making ninety-six dollars.

8 Q. Ninety-six dollars a week?

9 A. Yes, sir.

10 Q. And have you been steadily employed since May of '75 at this employer?

11 A. Yes, sir.

12 Q. who do you live with now?

13 A. Alone, sir.

14 Q. Alone?

15 A. Yes, sir.

16 Q. And between 1970 and December '74 when you say you were working for

17 Precision Furniture Company, how much did You earn per week?

18 A. Something like a hundred and six dollars a week.

19 Q. Did you work steadily for that company?

20 A.

21 Q. Did you ever obtain a divorce from your wife?

22 A. No, sir.

23 Q. You've been married how many times all together?

24 A. I've been, just one sir.

25 Q. And you have any idea where she is living?

26 A. I don't know sir. I found my wife in '61 though after that we

1 separated in 1961.

2 Q. Have you ever been arrested by the police any where or any place in
3 the world other than for your Immigration problems?

4 A. Yes, sir. I was a resident of Guatemala with this Immigration problem
5 too, way back in 1950.

6 Q. You were arrested in Guatemala in 1950?

7 A. Yes, sir.

8 Q. What were you arrested for in 1950?

9 A. For this Immigration Business again. Immigration was bothering me
10 I went there with intentions.

11 Q. In Guatemala?

12 A. Yes, sir.

13 Q. And what happened to you in Guatemala?

14 A. Well, I was deported and I went right back into the street. I lived
15 there until, until '61.

16 Q. And then you came back to the United States in '61?

17 A. No, I mean Guatemala I'm talking about.

18 Q. Were you ever arrested in 1974?

19 A. '74, ... yes, sir.

20 Q. What were you arrested for in 1974?

21 A. For urinating on the subway.

22 Q. And what happened in regard to that arrest?

23 A. Since that was my first charges, so I wasn't charged for that, I
24 wasn't charged.

25 MR. ARONOWITZ: Your honor, I would like to submit a police certificate from
26 the New York City Police Department is a good conduct certificate.

-13- (A-31)

TRANSCRIPT OF HEARING

United States Department of Justice — Immigration and Naturalization Service

1 OFF THE RECORD - on the record

2 IMMIGRATION JUDGE: I will mark it Exhibit #2, Exhibit #3 I'm sorry. Exhibit

3 #2 being the Order to Show Cause. The Order to Show Cause Exhibit 1,

4 Exhibit 1A is the additional charges, Exhibit 2 is the Suspension ap-

5 plication and Exhibit 3 would be the certificate of good conduct.

6 MR. STRASSER TO RESPONDENT:

7 Q. Mr. Ciego, if it were necessary for you to go back to Belize, or

8 British Honduras is there any reason why you could go back to

9 that country?

10 A. There's plenty of reasons, sir.

11 Q. Is there any, would you be persecuted if you went back to that country

12 in any way?

13 A. No, sir.

14 Q. What other reasons, you said plenty of reasons you could not go back

15 tell me what they are?

16 A. Sure, there is an incident that I got into in '68.

17 Q. What incident are you referring to?

18 A. I'm talking about the mugging incident that happened to me in a

19 hundred and sixteenth street and Lexington Avenue.

20 Q. Yes?

21 A. I had a operation, I mean Urology operation, a bladder operation be-

22 cause I can't urinate the way I should plus this arm was fractured at

23 the time and my leg I could hardly stand and I believe no body can

24 hire me I believe in my conditions, but here I know I can be hired I

25 felt I mean here we have jobs that I can do in my condition.

26 Q. Mr. Ciego, your father is he still alive?

TRANSCRIPT OF HEARING

United States Department of Justice — Immigration and Naturalization Service

1 A. Yes, sir.

2 Q. And where does he live?

3 A. He lives in Dangriga.

4 Q. That's in what country?

5 A. That's in Belize.

6 Q. And your mother ? Is she live?

7 A. Yes, sir.

8 Q. And what country does she live?

9 A. Dangriga in Belize.

10 Q. And is your mother or father either Of them lawful permanent residents

11 of the United States?

12 A. No, sir.

13 Q. Are either of them citizens of the United States/?

14 A. No, sir.

15 Q. Or nationals of the United States?

16 A. No, sir.

17 Q. do you have any brothers?

18 A. No, sir. One time but he died.

19 Q. Do you have any sisters?

20 A. Yes, sir two.

21 Q. and where do your sisters live?

22 A. They're living in California, sir.

23 Q. And either of your sisters lawful permanent residents?

24 A. I don't know about that,sir. I haven't seen them in a long time.

25 Q. When was the last time that you saw your sisters?

26 A. I haven't seen them from a long time from the time ...

1 Q. Approximately, how many years since you last saw or communicated with
2 your sisters ?
3 A. Well, thirteen years now approximately.
4 Q. Thirteen years ago?
5 A. Yes, sir.
6 Q. Is your father employed in Belize?
7 A. My father has his, he do farm working, sir.
8 Q. So he's still working there then. And your mother is she working or
9 she a housewife?
10 A. Housewife.
11 Q. Do you have any assets here in the United States, that is any stocks,
12 bonds, cash, real estate?
13 A. No, sir.
14 Q. Have you ever been in the Military service of the United States?
15 A. No, sir.
16 Q. Did you ever register for Selective Service?
17 A. No, sir.
18 Q. Did you ever submitted to the alien address reports in January as
19 required by law?
20 A. No, I didn't. (inaudible)
21 Q. Excuse me?
22 A. No.
23 Q. Why didn't you submit them, sir?
24 A. Cause I know that I'm illegally in here so I mean I was just taking
25 chances by doing that, sir.
26 Q. You're saying you knew you were supposed to submit these ...

-16- (A-34)

TRANSCRIPT OF HEARING

United States Department of Justice — Immigration and Naturalization Service

1 A. No, sir. I don't suppose so, but I know that I'm an illegal here and
2 I shouldn't, I can't do something like that.
3 Q. Now before you moved to 471 West 145th Street where you presently live
4 where did you live immediately before that in the United States?
5 A. Oh, I used to live at 568 West 149th Street.
6 Q. And you lived at that address for about how long?
7 A. About '71 to '74.
8 Q. Or was it from '71 to the, you moved to 471?
9 A. Oh, I ...
10 Q. Or did you have some other residents in between?
11 A. I used to live at, from there I live with a friend of mine on 145
12 Street before I moved to 471, at 145th Street.
13 Q. Now, in January, in December rather of 1974 you say you left the United
14 States from New York, New York is that correct?
15 A. Yes, sir.
16 Q. Is that by plane?
17 A. By plane.
18 Q. And where did you go to, sir?
19 A. From Manhattan, from there to Belize, sir.
20 Q. And why did you go back to Belize at that time?
21 A. Well, my reason for going back because my parents was worried about
22 me, the way they heard about me after this incident that I got into
23 down here, that I couldn't walk. I'd be bed ridden and all them things
24 like that, so I say well, I decide to make that trip there to do it
25 again and see how I'm getting on.
26 MR. STRASSER: I see, to enable them to see what condition you are and so

TRANSCRIPT OF HEARING

United States Department of Justice — Immigration and Naturalization Service

1 as to make them feel better.

2 BY RESPONDENT:

3 A. Right, sir.

4 MR. STRASSER TO RESPONDENT:

5 Q. Is that correct?

6 A. Right, sir.

7 Q. From Belize, Honduras in January of '75 where did you go before you

8 entered the United States, what countries did you visit first?

9 A. From Belize?

10 MR. STRASSER: From Belize.

11 BY RESPONDENT:

12 A. I went to ...

13 MR. STRASSER TO RESPONDENT:

14 Q. Excuse me, your application indicates in answer to question six, that

15 you last entered the United States at MacAllen, Texas on January 26,

16 1975. What I would like to know in your own words is how you got to

17 MacAllen, Texas on that date from Belize, Honduras?

18 A. I got the bus from Belize to Mexico, I mean I took a car which is in

19 the Mexican side and a car that goes all the way to MacAllen, Texas.

20 Q. This goes all the way up through Mexico from Belize, this bus trip?

21 A. No, sir the bus trip, the people they didn't like, you know then so,

22 where the people riding from Mexico to Mexico but it turns off at

23 MacAllen where you can get out and...

24 Q. So you got out before you went into Texas you got off the bus.

25 A. Right, sir.

26 Q. But my question is this bus goes all the way from Belize to this point

TRANSCRIPT OF HEARING

United States Department of Justice — Immigration and Naturalization Service

1 in Mexico, is that correct?

2 A. No, sir from Belize, I got the bus from Belize to the boarder line of
3 Mexico.

4 MR. STRASSER: Oh, I see.

5 BY RESPONDENT:

6 A. I took the Magnecarter(phonetic spelling) bus from there to MacAllen.

7 MR. STRASSER: To the town on the Mexican side across from MacAllen, right?

8 BY RESPONDENT:

9 A. No, it's right opposite, sir. The bus going all the way from Mexico
10 then tip off at the MacAllen, it's in the United States, and then
11 from there back South again to Mexico.

12 MR. STRASSER: I see.

13 MR. STRASSER TO RESPONDENT:

14 Q. When you entered MacAllen, Texas did you enter by bus or did you
15 cross in some other way?

16 A. By bus, sir.

17 Q. And when you entered were you inspected by an Immigration Officer?

18 A. Well

19 Q. From the United States?

20 A. No, sir I wasn't.

21 Q. Did you get off the bus at MacAllen, Texas or did you get off the
22 bus on the Mexican side?

23 A. I get off the bus at MacAllen, Texas.

24 Q. And no one inspected you at that time?

25 A. No one, sir.

26 Q. And then where did you go from MacAllen, Texas?

-19- (A-37)

TRANSCRIPT OF HEARING

United States Department of Justice — Immigration and Naturalization Service

1 A. Well, from there I caught the bus coming to the, well from there I
2 caught a bus and I come in here, to come to New York again.
3 Q. I see. On that bus that went to MacAllen, Texas was any one else
4 inspected, on the bus?
5 A. Well, I don't ...
6 Q. By an Immigration Officer?
7 A. I don't know I wasn't paying attention to that.
8 Q. I see. Were you awake when you crossed the boarder?
9 A. Boarder?
10 Q. From Mexico to United States?
11 A. Was I awake, sir?
12 Q. Yes, were you awake or were you sleeping?
13 A. No, I wasn't sleeping sir, I was awake.
14 Q. Now it says here in your application that you swam across the Rio
15 Grande when you first entered the United States in '64, that is on
16 this last series of entries, is that correct?
17 A. Yes, sir.
18 IMMIGRATION JUDGE: What page does it say that, Mr. ... Oh, I see it I'm
19 sorry.
20 MR. STRASSER TO RESPONDENT:
21 Q. Now you were born in Dangriga, Belize?
22 A. Yes, sir.
23 Q. That was on January 31, 1934?
24 A. Yes, sir.
25 Q. And you're a citizen of Belize or British Honduras, is that correct?
26 A. Yes, sir.

1 Q. Now prior to 1971 did you well, let's put it this way, since 1966 to
2 the present outside of your trip South side of the United States, have
3 you lived, resided rather any where besides the City of New York that
4 is in the, one of the Borough's of the City of New York?
5 A. Yes, sir but not for too long I live in the Bronx.
6 Q. I mean on the outside of the Bronx, Brooklyn or New York City, you
7 lived any place else?
8 A. Oh, yes sir. I mean I used to live in California, sir.
9 Q. Since '66?
10 A. Yes, sir.
11 Q. How long did you live in California?
12 A. I lived there from '62 to '68.
13 Q. Well you have here on your application that you were in Brooklyn,
14 New York from '66 to '68, is that a mistake?
15 A. In Brooklyn, New York?
16 MR. STRASSER: I'll show your copy of your application?
17 MR. STRASSER TO RESPONDENT:
18 Q. It says here you're living in Brooklyn, New York from '66 to '68, is
19 that a mistake?
20 A. It's got to be a mistake, sir.
21 MR. ARONOWITZ TO RESPONDENT:
22 Q. Did you ever live at 1463 Howard Avenue in Brooklyn?
23 A. Yes, I used to live there before '65, 2661. I was arrested by Immigra-
24 tion.
25 MR. STRASSER TO RESPONDENT:
26 Q. I see, then after you re-entered the United States ...

TRANSCRIPT OF HEARING

United States Department of Justice — Immigration and Naturalization Service

1 A. In '66.
2 Q. You went to where?
3 A. California, sir.
4 Q. What was your address at that, in California, if you remember?
5 A. My address is, in California, my address is 972 between Howard and,
6 wait sir, just a minute, between Central and 48th Street.
7 Q. 48th Street?
8 A. Yes, sir it's on 48th Street.
9 Q. And what city was this?
10 A. That's in Los Angeles.
11 Q. And you say you lived there until '68?
12 A. Yes, sir.
13 Q. When did you come to New York City again?
14 A. I leave California, April about April 21st or 22nd, something like
15 that.
16 Q. Of '68?
17 A. Of '68, sir between then ...
18 Q. Some time in April of '68?
19 A/ yes, sir.
20 Q. And was it at that time that You were hospitalized after you came to
21 New York in April of '68?
22 A. Prior till I got here from California, sir. I went to see my friends
23 cousin there over at 20th Street and Lenox and eventually , going
24 back to where I live in Brooklyn. I get mugged there at 116th Street.
25 Q. I see, and you were hospitalized ...
26 A. From then, sir.

-22- (A-40)

TRANSCRIPT OF HEARING

United States Department of Justice — Immigration and Naturalization Service

1 Q. From June of '68 until when?
2 A. From April ...
3 MR. STRASSER: April of '68, so correct that on your application April '68...
4 MR. ARONOWITZ: What is it some place other than Bird S Coler Hospital.
5 MR. STRASSER: I see.
6 MR. STRASSER TO RESPONDENT:
7 Q. But from April of '68 you were hospitalized?
8 A. Yes, sir.
9 Q. And you were subsequently hospitalized at other hospitals?
10 A. Yes, sir.
11 Q. Now, from 1970 to '71 where did you live?
12 A. 1970?
13 MR. STRASSER: Yes, the application doesn't indicate where you live between
14 1970 or '71?
15 BY RESPONDENT:
16 A. 1970 ...
17 MR. STRASSER: Let me show you what, that will help you recollect. You say,
18 you were at the Bird Coler Hospital from '68 to '70 and you say, you
19 were at 823 Trinity Avenue in the Bronx til '70 and 1971.
20 MR. STRASSER TO RESPONDENT:
21 Q. Did you reside at any place in between being in the Bird Coler Hospi-
22 tal and Trinity Avenue in the Bronx?
23 A. After getting out of the Bird S Coler Hospital, I live at 823 Trinity
24 Avenue with a friend of Mine and then from there I move to 279 East
25 124th Street in New York, East I mean in New York.
26 Q. Sir, at this time could you please explain to the Judge in your own

TRANSCRIPT OF HEARING

United States Department of Justice — Immigration and Naturalization Service

1 words what the nature of the extreme hardship you believe you would
2 suffer if you are required to depart the United States?
3 A.
4 MR. ARONOWITZ: Your honor, he's already given the answer to that question.
5 IMMIGRATION JUDGE TO RESPONDENT:
6 Q. What hardship would you have if you left the United States?
7 A. Sir, going back to Belize in my condition, sir. I think I'll suffer
8 a lot because there they don't have no kind of doctors there that can
9 take care of my condition like Urologies plus there comes the time
10 when I can't urin, as it comes, I have to stop a while, it pains me
11 a lot for some time but there they don't have them doctors.
12 MR. STRASSER TO RESPONDENT:
13 Q. Now Mr. Ciego, if your application for suspension were to be denied
14 and the Judge were to ask you if you wished to depart from the United
15 States voluntarily would you wish to do so, that is, depart from the
16 United States without expense to the government without being deported?
17 A. Yes, sir I ... yes, sir.
18 Q. And would you be able to purchase, would you be ready, willing and
19 able to depart if he were to give you voluntary departure?
20 A. Not at the moment, sir.
21 Q. Well, do you have the Funds to purchase a ticket, to go back to, to
22 depart from the United States?
23 A. Yes, sir.
24 Q. You can purchase a ticket if you had to?
25 A. Yes, sir.
26 Q. And if it were necessary for you to be deported from the United States,

1 What country would you request the Judge deport you to?

2 A. Belize.

3 MR. STRASSER: I have no further questions, your honor.

4 IMMIGRATION JUDGE: Do you have any questions, Mr. Aronowitz?

5 MR. ARONOWITZ: No, your honor I would like to submit these documentations.

6 IMMIGRATION JUDGE: All right.

7 MR. ARONOWITZ: And request again that you subpoena the hospital records, so

8 that

9 IMMIGRATION JUDGE: I'm asking you to question, Mr. Strasser says, that there's

10 a necessity for the hospital records.

11 MR. ARONOWITZ: Well, ...

12 IMMIGRATION JUDGE: Before your question, there's a question that would clear

13 up something.

14 IMMIGRATION JUDGE TO RESPONDENT:

15 Q. When you left the United States in 1974 did you intend to come back

16 to the United States?

17 A. Yes, sir.

18 Q. How did you know how you can get back into the United States?

19 A. Sir?

20 Q. How did you know you can get back in the United States?

21 A. Because I know the way how to come to, come here, sir.

22 Q. In other words you had intended to come in without inspection?

23 A. Yes, sir.

24 Q. Have you ever been in the United States before?

25 A. Yes, sir.

26 Q. Were you ever ordered out of the United States by an Immigration Judge?

TRANSCRIPT OF HEARING

United States Department of Justice — Immigration and Naturalization Service

1 A. Sir?

2 Q. Were you ever ordered out of the United States by an Immigration
3 Judge?

4 A. Yes, sir.

5 Q. And what did he do, give you voluntary departure or what?

6 A. I was deported, sir.

7 MR. STRASSER: Your honor, I have if you wish an executed warrant of deporta-
8 tion.

9 IMMIGRATION JUDGE: You can show it to the attorney ... On these letters
10 Mr. Strasser do you have any objection of ...

11 MR. STRASSER: No objection.

12 IMMIGRATION JUDGE: They'll be marked Exhibit #4.

13 MR. STRASSER: The warrant of deportation your honor, shows that the respon-
14 dent was deported ...

15 IMMIGRATION JUDGE: Well show it to the attorney and see if he has any ob-
16 jections.

17 MR. STRASSER: ... in Miami, Florida on July 18, 1966.

18 IMMIGRATION JUDGE: No objection, Mr. Aronowitz?

19 MR. ARONOWITZ: No. (inaudible)

20 IMMIGRATION JUDGE: All right that will be Exhibit #5.

21 MR. ARONOWITZ: Do I get a copy of that?

22 IMMIGRATION JUDGE: On any exhibit the government will furnish you a copy,
23 do you want a copy of it?

24 MR. ARONOWITZ: Yes.

25 IMMIGRATION JUDGE: All right will you give him a copy of Exhibit #5, Mr.
26 Strasser?

1 MR. STRASSER: Okay he can make a request from the S.I. S.I.O. will then
2 photostat the ...
3 IMMIGRATION JUDGE: If you can't photostat it for him Mr. Strasser, I'll
4 arrange to have it photostat.
5 MR. STRASSER: Okay, I'll photostat if you so request, your honor.
6 IMMIGRATION JUDGE: I so request it.
7 MR. ARONOWITZ: Thank you, your honor.
8 IMMIGRATION JUDGE: Any other questions, Mr. ARonowitz now? Coming back to
9 you again, Mr. Aronowitz. I got your motion in front of me and I've
10 told you according to the regulations you must, to my satisfaction
11 that the evidence that you're trying to subpoena is necessary and I've
12 asked you repeatedly to question your client. You repeatedly, you've
13 told me you do not want to question your client. I will ask you
14 again, do you want to question your client?
15 MR. ARONOWITZ: Well, your honor subsequent to our previous discussion the
16 respondent has under gone questioning, and I think it is material to
17 this case to establish his mental condition and I don't see the need
18 for me to question him further at this time, because he has responded
19 to all of your questions and he has indicated the hardship and there
20 are no other factors in this case that haven't been brought out.
21 IMMIGRATION JUDGE: Fine, then in other words what you're saying to me ...
22 MR. ARONOWITZ: I have no questions.
23 IMMIGRATION JUDGE: No questions. Do you have any further questions, Mr.
24 Aronowitz, I'm sorry Mr. Strasser?
25 MR. STRASSER: No, your honor.
26 IMMIGRATION JUDGE: Then, I'll render a decision.

TRANSCRIPT OF HEARING

United States Department of Justice — Immigration and Naturalization Service

1 NOTE: At this point in the proceedings the Immigration Judge delivered an
2 oral statement of his decision in this matter. This has been trans-
3 cribed separately and is attached. * * * * *

4 IMMIGRATION JUDGE TO RESPONDENT:

5 Q. Do you understand my decision?

6 A.

7 IMMIGRATION JUDGE: Mr. ARONOWITZ, you heard my decision what is Your desire?

8 MR. ARONOWITZ: We reserve the ...

9 IMMIGRATION JUDGE: ... Form - I-290A and advise you that your time to appeal
10 would be ten days from today. Today being the 11th, your time to
11 appeal is the 22nd, 21st. It falls on a Monday therefore, your time
12 will be the 21st of June. I will show you the Forms I-290A and advise
13 you the fee is fifty dollars. Mr. Strasser do you ...

14 MR. STRASSER: The government waives appeal.

15 IMMIGRATION JUDGE: All right, the hearing is closed.

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I hereby certify that to the best of my knowledge and
belief the foregoing pages numbered 5 through 28
are a complete and accurate transcript of the above -
transcribed proceedings.

Maria S. Negron
Signature
Transcribes
Title

UNITED STATES DEPARTMENT OF JUSTICE
IMMIGRATION AND NATURALIZATION SERVICE

APPLICATION FOR SUSPENSION OF
DEPORTATION

(Under Section 244 of the Immigration and Nationality Act)

(PLEASE READ ADVICE AND INSTRUCTIONS ON PAGE 5 BEFORE
FILLING IN FORM)

INFC
MAY 28 1976
FEE STAMP
MAY 28 1976
NYC 176767(I)

(1) I, the undersigned, hereby request that my deportation be suspended under the provisions of section 244 of the Immigration and Nationality Act. I believe that I am eligible for suspension of deportation because such deportation would result in extreme hardship to myself and/or to my

(Husband, wife, father, mother, child, children)
who is/are ☐ citizen(s) ☐ lawful permanent resident(s) of the United States; and I have been physically present in the United States without any absence since Jan 23, 1975

(2a) My present true name is: (First, Middle, Last) Peter Nolasco Ciego (2b) My name given at birth was: same
(3) I have been known by the additional names: none My sex is male (height) 5' 6" (Color of eyes) Brown (Color of hair) Black (Complexion) dark
(4) I was born at (Place and country) Dangriga, Belize on (Month) (Day) (Year) 1-31-34 My nationality is (Country of which citizen or subject) Belize
(5) I now reside at (Apt. number and/or in care of) (Number and street) (City or town) (State) (ZIP Code)
(Apt. 747) West 145th St., New York, N.Y. 10031

(6) I first entered the United States under the name of (First) (Middle) (Last) Peter Nolasco Ciego on (Month) (Day) (Year) March 1964 At (seaport, airport, or land border port) Texas
Name of vessel or other means of conveyance by foot I was admitted as a (Insert visitor, crewman, transient, student, permanent resident, or other) entered without inspection
For a period of time to expire (Insert date of period for which admitted) My last extension of stay in the United States expired on (date)

If not inspected or if entry occurred at other than a regular port, describe the circumstances as accurately as possible

Swam across Rio Grande

Since the date of my first entry I departed from and returned to the United States at the following places and on the following dates: (If you have never departed from the United States since your original date of entry, insert "no departures.")

DEPARTED		RETURNED		INSPECTED AND ADMITTED (Answer Yes or No)
PORT	DATE (Month-Day-Year)	PORT	DATE (Month-Day-Year)	
<u>Texas</u>	<u>Oct. 1964</u>	<u>Texas</u>	<u>July 1965</u>	<u>NO</u>
<u>New York, N.Y.</u>	<u>12-19-74</u>	<u>San Ysidro, Calif.</u>	<u>Sept. 1966</u>	<u>NO</u>
		<u>San Marcos, Texas</u>	<u>Jan. 1975</u>	<u>NO</u>

(7) During the last 10 years, I have been in the United States as listed below: (If less than 10 years, set forth the information for the period you have been in the United States.) List present address FIRST, and work back.

STREET AND NUMBER-CITY OR TOWN-STATE (Include number of hotel room, furnished room or apartment in present address.)	FROM-		TO-	
	Month	Year	Month	Year
<u>471 W. 145th St., N.Y., N.Y.</u>	<u>July</u>	<u>1975</u>	<u>present</u>	
<u>568 W. 149th St., N.Y., N.Y.</u>		<u>1971</u>	<u>July</u>	<u>1975</u>
<u>79 E. 101st St., N.Y., N.Y.</u>		<u>1971</u>		<u>1971</u>
<u>803 Trinity Ave., Bronx, N.Y.</u>		<u>1971</u>		<u>1971</u>
<u>Bird S. Coler Hosp., Welfare Is., N.Y.</u>	<u>June</u>	<u>1968</u>		<u>1970</u>
<u>1463 Howard Ave., B'lyn, N.Y.</u>		<u>1966</u>	<u>May</u>	<u>1968</u>

- (8) During my residence at the places in the United States named above I was employed by the following-named persons or firms: (Begin with present employment and proceed backwards. Any periods of unemployment or school attendance should be specified.)

FULL NAME OF EMPLOYER	ADDRESS OF EMPLOYER	EARNINGS PER WEEK (Approximately)	TYPE OF WORK PERFORMED	FROM-		TO-	
				Month	Year	Month	Year
Saltun, Inc.	1260 20th Ave. Brooklyn, N.Y.	\$196	Factory worker	May	1975	Jan	7
Precision Furniture Co.	1985 Adair Ave. Brooklyn, N.Y.	\$106	Factory worker		1970		1971

(Use a separate sheet for additional entries.)

- (9) If self-employed, describe nature of business, name under which business is conducted, and net income derived therefrom _____

(10) I ☒ AM MARRIED ☐ AM NOT MARRIED If married, the name of my spouse is Margaret Oliver We were married on (Month) (Day) (Year) 9-15-59 at (City or town) (State or country) Livingston, Gust.

She or he was born at (City or town) (State or country) Livingston, Gust. on (Month) (Day) (Year) Feb. 1928 and is a citizen of (Country) Gustengia

(11) (If your spouse is other than a native born United States citizen, answer the following.) She or he arrived in the United States at (City or town) never (separated since 1961) on (Month) (Day) (Year) ☐ was ☐ was not admitted for permanent residence.

was naturalized on (Month) (Day) (Year) (Place naturalized)

- (12) I ☐ have ☒ have not been previously married. (If previously married, give facts relative to name of each prior spouse, and manner, date, and place of termination of each prior marriage) _____

- (13) My present spouse ☐ has ☒ has not been previously married. (If spouse previously married, give facts relative to name of each prior spouse and manner, date, and place of termination of each prior marriage) _____

- (14) My spouse ☐ is ☐ is not employed. If employed, give salary and place of employment I don't know

- (15) The assets of myself (and my spouse), not including clothing and household necessities, are: Self (or jointly owned with spouse):

Cash, Stocks and Bonds \$ —
 Real Estate \$ —
 Other (Describe) Personal prop. \$ 1000
 Total \$ 1000

Cash, Stocks and Bonds \$ —
 Real Estate \$ —
 Other (Describe) \$ —
 Total \$ —

- (16) I have no legitimate children. Give information requested in each column:

NAME	AGE	PLACE OF BIRTH	NOW RESIDING AT—	CITIZEN OF	LAWFUL PERMANENT RESIDENT OF U.S.

- (17) I have ☒ have not after entry into the United States acquired the status of an exchange alien.
 (18) I have ☒ have not submitted yearly address reports as required by the amendment to the Alien Registration Act of 1950, and the Immigration and Nationality Act.
 (19) I have ☒ have not been the recipient of public or private relief or assistance. If you have, give full details including date, place, and amount received. Aside from medical assistance, the only welfare I have received were small grants at times I was getting out of hospitals. \$38.70 in 1969 and about \$20 in 1971

- (20) If you have served in the Armed Forces of the United States, state branch (Army, Navy, & service number, etc.).
 Date and place of entry on duty: _____ Date of discharge: _____ I served in active duty status from _____ to _____
 Type of discharge (honorable, dishonorable, etc.): _____

- (21) If male, did you register under the Selective Service (Draft) Law of 1917, 1918, 1940, 1948, 1951, or later Draft Laws? Yes ☐ No ☒
 If "Yes," give date, Selective Service number & local draft board number: _____
 Were you ever exempted from service because of conscientious objection, alienage, or any other reason? Yes ☐ No ☒
 (22) Have you ever deserted from the military or naval forces of the United States while this country was at war? Yes ☐ No ☒
 (23) Have you ever left the United States or the jurisdiction of the district where you registered for the draft to avoid being drafted into the military or naval forces of the United States? Yes ☐ No ☒
 (24) List membership, past or present, in all organizations, societies, clubs, unions, and associations, whether in the United States or a foreign country, and the periods and places of such membership. Include membership in any Communist Party or organization or in any section, subsidiary, branch, affiliate, or subdivision of any such party or organization:
NONE

- (25) I ☒ have ☐ have never (either in the United States or any other country) been arrested, summoned into court as a defendant, convicted, fined, imprisoned, or placed on probation, or forfeited collateral for an act involving a felony, misdemeanor, or breach of any public law or ordinance.
 If answer is in the affirmative in any particular, give complete information in the space immediately following: Arrested in 1974 for disorderly conduct, but no charges pressed. (local conduct certificate attached)

- (Use a separate sheet for additional entries)
 (26) I can return to my country of ☒ Birth ☒ Nationality ☒ Last Residence without fear of persecution. If unable to return to any of these countries, give reasons: _____
 (Check the appropriate block or blocks)

- (27) I ☐ would ☒ would not be able to arrange a trip outside the United States to obtain an immigrant visa. If not, explain: Immigrant Visa not available for me.
 (28) Give the requested information about your parents, brothers, and sisters. As to residence, show street address, city, and state, if in the United States, otherwise show only country.

NAME	RELATIONSHIP TO ME	NOW RESIDING AT	BIRTHPLACE	CITIZEN OF	LAWFUL PERMANENT RESIDENT OF U.S.?
Armando Ciego	father	B Dangriga, Belize	Belize	Belize	no
Francisca Horne	mother	Los Angeles, Calif.	"	"	"
Eleanor Sobal	sister	Los Angeles, Calif.	"	"	"
Blanche Ciego	sister				

IF THIS APPLICATION IS BASED ON HARDSHIP TO A PARENT OR PARENTS, QUESTIONS 29 TO 32 MUST BE ANSWERED.

(29) As to such parent who is not a citizen of the United States, give date and place of arrival in the United States including full details as to manner and terms of admission to this country _____

(30) My father ☐ is ☐ is not employed. If employed, give salary and place of employment _____

(31) My mother ☐ is ☐ is not employed. If employed, give salary and place of employment _____

(32) The assets of my parents (not including clothing and household necessities) are:

Assets of father consist of the following:

Cash, Stocks and Bonds \$ _____
Real Estate \$ _____
Other (Describe) \$ _____
Total \$ _____

Assets of mother consist of the following:

Cash, Stocks and Bonds \$ _____
Real Estate \$ _____
Other (Describe) \$ _____
Total \$ _____

(33) The following certificates or other documents are attached hereto as a part of this application: (Refer to instruction 2, page 5, for documents which must be attached.)

Nature of Document

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

(APPLICATION NOT TO BE SIGNED BELOW UNTIL APPLICANT APPEARS BEFORE A SPECIAL INQUIRY OFFICER)

Peter V. Ciego (A-50) do swear (affirm) that the contents of the above application, with correct numbers () to (), and including the documents attached hereto, are true to the best of my knowledge, and that this application is signed by me with my full, true name. So Help Me God.

Peter V. Ciego
(Complete and true signature of applicant or parent or guardian)

Subscribed and sworn to before me by the above named applicant on _____



ORAL ROBERTS EVANGELISTIC ASSOCIATION, INC.

P.O. Box 2187 • Tulsa, Oklahoma 74102

December 17, 1968

Peter N Ciego (Ward A-33)
Bird S Coler Hosp
Welfare Island, NY 10017

Dear Brother Ciego:

I am happy to take time to write you. May you sense our interest in your behalf through our prayers.

Plans are being made to conduct a crusade in Harlem but definite arrangements have not been completed. Prior to each crusade, announcements are made on our local radio programs and in ABUNDANT LIFE Magazine.

I want to share a few words of encouragement with you. Whatever circumstances you may face, remember, God can come upon the scene and change things. His power is greater than all other power, and His authority is above all other authority. He can push back the negative forces and give you the answer you need.

The Lord keep you and cause His goodness to come to you, Brother Ciego.

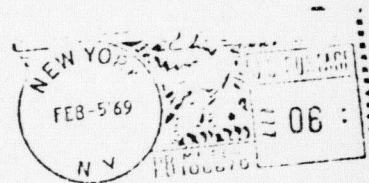
Faithfully your partner,

Oral Roberts

(A-51)

A-52

EDUCATION DEPARTMENT
ATIONAL REHABILITATION
AVENUE SOUTH
W YORK 10003

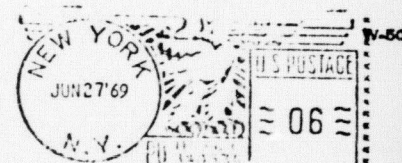


Q 33

Mr. Peter N. Ciego
Bird S. Coler Hospital
Welfare Island, N. Y. 10017

A-53

THE CITY OF NEW YORK
DEPARTMENT OF SOCIAL SERVICES
250 CHURCH STREET
NEW YORK, N. Y. 10013



ETH

ds1

CIEGO PETER 4303165
BIRD S COLER HOSP 75
NEW YORK, N.Y. 10017

FOR POLICE EMERGENCY ONLY

DIAL 911

THE CITY OF NEW YORK
DEPARTMENT OF SOCIAL SERVICES

C. *James H. Smith*
Address *336 115th St*
Brooklyn

NOTICE OF SPECIAL GRANT

Mr. Peter C. ...
B. H. ...
W. J. ...

AD 431 3165
Case Number

Fold

A check for \$ *38.71*, covering your request for the item(s) listed below, is being sent to you under separate cover. This special grant has been calculated on the following basis:

Food, clothing, shelter, etc.
Food, clothing, shelter, etc. 11/14/69 - 3.10 - 1.20
Rent 11/17/69 - 11/30/69 35.12 - 0.00
Amount of check \$38.71

S. Stone
Unit Supervisor

11/17/69
Date

08-0
Caseload No.

AVISO DE ASIGNACION ESPECIAL

Un cheque por la cantidad arriba indicada y que cubre su petición por los artículos que aquí se anotan, se está enviando a Ud. por correo separado.

(A-54)

CABLE: SALTONHOT NEW YORK

SALTON.



INC.

1260 ZEREGA AVENUE

BRONX, N. Y. 10462

TEL.: (212) 931-3900

3/6/70

To whom it may concern:

This is to advise that Mr Peter Ciego has been employed by Salton Inc since 5/27/55.

His work and attendance record has been good and he is now considered a regular employee on a permanent status.

M. A. Gordon

Plant Mgr

(A-55)

SALTON®/HOTABLE®/HOTRAY®
are registered trademarks of Salton Inc



POLICE DEPARTMENT
NEW YORK, N.Y. 10038

125884

ADDRESS INQUIRIES TO
PUBLIC INQUIRY & REQUEST SECTION
GOOD CONDUCT UNIT

GOOD CONDUCT CERTIFICATE

REFER TO
ABOVE NUMBER

NAME Peter Nolasco Ciego
ADDRESS 471 W. 145th St. - Apt. #7
New York, New York 10031

R.S. DATE PROCESSED 3/23/76	
DATE OF BIRTH 1/31/34	SEX M
COUNTRY Immigration	

EXPIRES IN 60 DAYS

RIGHT HAND

1.—Right Thumb	2.—R. Index Finger	3.—R. Middle Finger	4.—R. Ring Finger	5.—R. Little Finger

LEFT HAND

6.—Left Thumb	7.—L. Index Finger	8.—L. Middle Finger	9.—L. Ring Finger	10.—L. Little Finger

Four fingers taken simultaneously

Left Hand



Amputations _____

Four fingers taken simultaneously

Right Hand



NO RECORD

BY NYCP

NYCP

SIGNATURE

Left Thumb

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APPLICANT'S
SIGNATURE

Peter N. Ciego

RELATIVE TO YOUR APPLICATION FOR A GOOD CONDUCT CERTIFICATE PLEASE BE ADVISED THAT THE FILES OF THIS DEPARTMENT FAIL TO SHOW ANY ARREST RECORD UNDER YOUR FINGERPRINTS.

YOURS VERY TRULY,

(A-56)

James J. Harrow
CHIEF OF OPERATIONS

U.S. IMMIGRATION & NATZ. SERVICE
NEW YORK CITY DISTRICT OFFICE

-----X
In Re:

File No.: A14 804 552

PETER CIEGO,

Respondent
-----X

APPLICATION FOR ISSUANCE OF A SUBPENA

Pursuant to 8 C.F.R. 287.4(a)(2), it is requested that the Honorable Anthony DeGaeto, Immigration Judge, issue a subpena upon the Bird S. Coler Hospital, Roosevelt Island, New York, New York, to compel the production of all medical and psychiatric records relating to the respondent, Peter Ciego.

It is expected that the production of said records will permit the respondent to establish that as a result of physical and mental injuries he frequently fails to understand the nature and qualify of his acts. In addition, said records will assist to establish his physical presence in the United States.

The respondent has attempted to secure such records but was told by agents of that institution that a subpena was required. Counsel's attempt to secure records has not yet been responded to.

Edelman & Aronowitz
225 Broadway
New York, N.Y. 10007
212-374-1366

2195

Do Not Remove Carbons: if typewriter is not available, print heavily in block letters with ball-point pen. U.S. GOVERNMENT PRINTING OFFICE 1975-572-779

FORM G-325A (REV. 10-1-74) Y

UNITED STATES DEPARTMENT OF JUSTICE
Immigration and Naturalization ServiceForm Approved
OMB No. 43-R436BIOGRAPHIC
INFORMATION

(Family name) CIEGO	(First name) Peter	(Middle name) Nolasco	☒ MALE ☐ FEMALE	BIRTHDATE(Mo.-Day-Yr.) 1-31-34	NATIONALITY Belize	ALIEN REGISTRATION NO. (If any) A14 804 552
ALL OTHER NAMES USED (Including names by previous marriages) none			CITY AND COUNTRY OF BIRTH Dangriga, Belize		SOCIAL SECURITY NO. (If any) 454-86-1243	
FATHER FAMILY NAME FIRST NAME DATE, CITY AND COUNTRY OF BIRTH (if known) CITY AND COUNTRY OF RESIDENCE. CIEGO Adosto 3-3-12 Dangriga, Belize Dangriga, Belize						
MOTHER (Maiden name) HERNANDEZ Francisca 1-18-13 Dangriga, Belize Dangriga, Belize						
HUSBAND (If none, so state) OR WIFE FAMILY NAME FIRST NAME BIRTHDATE CITY & COUNTRY OF BIRTH DATE OF MARRIAGE PLACE OF MARRIAGE OLIVER Margaret 2-7-28 Livingston, Guatemala 9-15-59 Livingston, Guatemala						
FORMER HUSBANDS OR WIVES (if none, so state) FAMILY NAME (For wife, give maiden name) FIRST NAME BIRTHDATE DATE & PLACE OF MARRIAGE DATE AND PLACE OF TERMINATION OF MARRIAGE (separated from wife since 1961)						
APPLICANT'S RESIDENCE LAST FIVE YEARS. LIST PRESENT ADDRESS FIRST.						
STREET AND NUMBER	CITY	PROVINCE OR STATE	COUNTRY	FROM MONTH YEAR	TO MONTH YEAR	
471 West 145th St.	New York	New York	USA	July 1975	PRESENT TIME	
568 West 149th St.	New York	New York	USA	1971	July 1975	
823 Trinity Avenue	Bronx	New York	USA	Jan. 1971	1971	
79 East 121st St.	New York	New York	USA	1971	1971	
Bird S. Coler Hosp.	Welfare Is	New York	USA	June 1968	1970	
APPLICANT'S LAST ADDRESS OUTSIDE THE UNITED STATES OF MORE THAN ONE YEAR						
STREET AND NUMBER	CITY	PROVINCE OR STATE	COUNTRY	FROM MONTH YEAR	TO MONTH YEAR	
	Dangriga		Belize	1934	1964	
APPLICANT'S EMPLOYMENT LAST FIVE YEARS. (IF NONE, SO STATE) LIST PRESENT EMPLOYMENT FIRST						
FULL NAME AND ADDRESS OF EMPLOYER			OCCUPATION (SPECIFY)	FROM MONTH YEAR	TO MONTH YEAR	
Salton, Inc., 1260 Zerega Avenue, Bronx, New York			Factory Worker	May 1975	PRESENT TIME	
Precision Furniture Co., 1838 Ade Ave. Bronx, New York			Factory Worker	1970	1975	
Show below last occupation abroad if not shown above. (Include all information requested above.)						
THIS FORM IS SUBMITTED IN CONNECTION WITH APPLICATION FOR:			SIGNATURE OF APPLICANT OR PETITIONER		DATE	
☐ NATURALIZATION ☐ ADJUSTMENT OF STATUS			X Peter S. Ciego		3-16-76	
☒ OTHER (SPECIFY): Suspension of Deportation			IF YOUR NATIVE ALPHABET IS IN OTHER THAN ROMAN LETTERS, WRITE YOUR NAME IN YOUR NATIVE ALPHABET IN THIS SPACE:			
Are all copies legible? ☒ Yes						

PENALTIES: SEVERE PENALTIES ARE PROVIDED BY LAW FOR KNOWINGLY AND WILLFULLY FALSIFYING OR CONCEALING A MATERIAL FACT.

APPLICANT: BE SURE TO PUT YOUR NAME AND ALIEN REGISTRATION NUMBER IN THE BOX OUTLINED BY HEAVY BORDER BELOW.

COMPLETE THIS BOX (Family name)	(Given name)	(Middle name)	(Alien registration number)
CIEGO	Peter	Nolasco	A14 804 552
(OTHER AGENCY USE)			INS USE (Office of Origin)
			OFFICE CODE:
			TYPE OF CASE:
			DATE:

UNITED STATES DEPARTMENT OF JUSTICE
Immigration and Naturalization Service

No.

ORDER TO SHOW CAUSE, NOTICE OF HEARING, AND WARRANT FOR ARREST OF ALIEN

In Deportation Proceedings under Section 242 of the Immigration and Nationality Act

UNITED STATES OF AMERICA:

File No. **A14 804 552**

In the Matter of **CEIGO, peter Nolasce**

Respondent.

Address (number, street, city, state, and ZIP code)

UPON inquiry conducted by the Immigration and Naturalization Service, it is alleged that:

1. You are not a citizen or national of the United States;
2. You are a native of Belize and a citizen of United Kingdom & Colonies;
3. You entered the United States xx near San Ysidro, California on
or about 9/66;
(date)
4. You were not inspected by the United States Immigration and
Naturalization Service.

AND on the basis of the foregoing allegations, it is charged that you are subject to deportation pursuant to the following provision(s) of law:

Section 241(a)(2) of the Immigration and
Nationality Act, in that, you entered the
United States without inspection.

WHEREFORE, YOU ARE ORDERED to appear for hearing before an Immigration Judge of the
Immigration and Naturalization Service of the United States Department of Justice at _____
136 Flushing Avenue, Brooklyn, N.Y.

on March 8, 1976(S) at 1:00 P.m, and show cause why you should not be
deported from the United States on the charge(s) set forth above.

WARRANT FOR ARREST OF ALIEN

By virtue of the authority vested in me by the immigration laws of the United States and the regulations issued pursuant thereto, I have commanded that you be taken into custody for proceedings thereafter in accordance with the applicable provisions of the immigration laws and regulations, and this order shall serve as a warrant to any Immigration Officer to take you into custody. The conditions for your detention or release are set on the reverse hereof.

Dated: **March 5, 1976**

Henry B. Hagedorn
ASSISTANT DISTRICT DIRECTOR (icer)
FOR INVESTIGATIONS, N.Y., N.Y.
(City and State)

APPEAR WITH PASSPORT AND
IMMIGRATION DOCUMENTS

5/14/76
8:45 am.

gc

ANY STATEMENT YOU MAKE MAY BE USED AGAINST YOU IN DEPORTATION PROCEEDINGS
THE COPY OF THIS ORDER SERVED UPON YOU IS EVIDENCE OF YOUR ALIEN REGISTRATION
WHILE YOU ARE UNDER DEPORTATION PROCEEDINGS. THE LAW REQUIRES THAT IT BE
CARRIED WITH YOU AT ALL TIMES

If you so choose, you may be represented in this proceeding, at no expense to the Government, by an attorney or other individual authorized and qualified to represent persons before the Immigration and Naturalization Service. You should bring with you any affidavits or other documents which you desire to have considered in connection with your case. If any document is in a foreign language, you should bring the original and certified translation thereof. If you wish to have the testimony of any witnesses considered, you should arrange to have such witnesses present at the hearing.

At your hearing you will be given the opportunity to admit or deny any or all of the allegations in the Order to Show Cause and that you are deportable on the charges set forth therein. You will have an opportunity to present evidence on your own behalf, to the receipt of evidence and to cross examine any witnesses presented by the Government. Failure to attend the hearing at the time and place designated hereon may result in a determination being made by the Immigration Judge in your absence.

You will be advised by the Immigration Judge, before whom you appear, of any relief from deportation, including the privilege of departing voluntarily, for which you may appear eligible. You will be given a reasonable opportunity to make any such application to the Immigration Judge.

NOTICE OF CUSTODY DETERMINATION

Pursuant to the authority of Part 242.2, Title 8, Code of Federal Regulations, the authorized officer has determined that pending a final determination of deportability in your case, and, in the event you are ordered deported, until your departure from the United States is effected, but not to exceed six months from the date of the final order of deportation under administrative processes, or from the date of the final order of the court, if judicial review is had, you shall be:

☐ Detained in the custody of this Service.

☐ Released on recognizance.

☒ Released under bond in the amount of \$ 2500.00

You may request the Immigration Judge to redetermine this decision.

REQUEST FOR PROMPT HEARING

To expedite determination of my case, I request an immediate hearing, and waive any right I may have to more extended notice.

☐ I do ☐ do not request a redetermination by an Immigration Judge of the custody decision.

Before:

(signature of respondent)

(signature and title of witnessing officer)

(date)

CERTIFICATE OF SERVICE

Served by me at _____ on _____ 19____ at _____ m.

(signature and title of employee or officer)

UNITED STATES DEPARTMENT OF JUSTICE
Immigration and Naturalization Service

UNITED STATES OF AMERICA:

File No. A14 804 552

In the Matter of

Peter Nolasco CEIGO

Respondent.

)
) In Deportation Proceedings under
) Section 242 of the Immigration
) and Nationality Act
)
)
) ADDITIONAL CHARGES
) OF DEPORTABILITY
)

To: Peter Nolasco CEIGO

(name)

(address)

There is hereby lodged against you the additional charge(s) that you are subject to be taken into custody and deported pursuant to the following provision(s) of law:

Section 241(a)(2) of the Immigration and Nationality Act,
In that, you entered the United States without inspection.

In support of the additional charge(s) there is submitted the following factual allegation(s) in addition to those set forth in the order to show cause and notice of hearing:

5. You entered the United States at McAllen, Texas on or about January 26, 1975.
6. At the time of your entry into the United States on January 26, 1975 at or near McAllen, Texas, you were not inspected by the United States Immigration and Naturalization Service.

(A-60)

May 28, 1976

Date

William Strasser
WILLIAM STRASSER, TA

UNITED STATES OF AMERICA
DEPARTMENT OF JUSTICE
IMMIGRATION AND NATURALIZATION SERVICE

WARRANT OF DEPORTATION

No. ALL 804 552

To any Officer or Employee of the United States Immigration and Naturalization Service.

Whereas, after due hearing before an authorized officer of the United States Immigration and Naturalization Service, and upon the basis thereof, an order has been duly made that the alien

PETER NOLASCO CEICO
who entered the United States at Tampa, Florida via SS Jenny One
on or about the day of March, 1963, is subject to deportation under
the following provisions of the laws of the United States, to wit:

Section 241(a)(1) of the Immigration and Nationality Act.

I, the undersigned officer of the United States, by virtue of the power and authority vested in the Attorney General under the laws of the United States and by his direction, do hereby command you to take into custody and deport the said alien pursuant to law, at the expense of the

transportation company which brought him to the United States, if practicable, otherwise at the expense of the appropriation "Salaries and Expenses, Immigration and Naturalization Service, 1966" including the expenses of an attendant, if necessary. If deported to the expense of the transportation company, the expenses incident to placing the alien on board vessel, including the services of an attendant, if necessary, are authorized payable from the appropriation "Salaries and Expenses, Immigration and Naturalization Service, 1966."

For so doing this shall be your sufficient warrant.

Witness my hand and seal this 22nd day of June, 1966

At New York, NY (A-61)

P. A. ESPERDY
District Director
New York District

By: *Samuel L. Huttner*
SAMUEL L. HUTTNER
Assistant District Director for Deportation

Port of MIAMI, FLA.
Date JUL 18 1956

WARRANT FOR DEPORTATION OF

PETER NOLASCO CELCO

Executed JUL 18 1956, 19

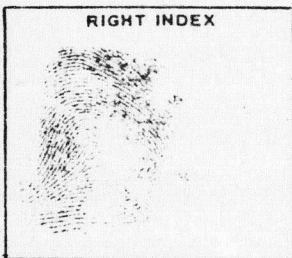
Via TAN Flt. 105 to Belize, British Honduras
at I&NS expense.

Lewis H. Carter
(Signature of officer)

DETENTION CLERK

(Title)

RIGHT INDEX



Peter Celco
SIGNATURE OF PERSON FINGERPRINTED

Charles H. [illegible]
SIGNATURE OF OFFICIAL TAKING FINGERPRINT

(A-62)

UNITED STATES OF AMERICA
DEPARTMENT OF JUSTICE

IMMIGRATION AND NATURALIZATION SERVICE

WARRANT OF DEPORTATION

No. A14 04 552

To any Officer or Employee of the United States Immigration and Naturalization Service.

After due hearing before an authorized officer of the United States Immigration and Naturalization Service, and upon the basis thereof, an order has been duly made that the alien Peter Nolasco CRIG.

who entered the United States ~~at~~ near San Ysidro, Calif.

on or about the day of September, 1966, is subject to deportation under the following provisions of the laws of the United States, to wit:

Section 241 (a)(2) of the Immigration and Nationality Act.

I, the undersigned officer of the United States, by virtue of the power and authority vested in the Attorney General under the laws of the United States and by his direction, command you to take into custody and deport the said alien pursuant to law, at the expense of the appropriation "Salaries and Expenses, Immigration and Naturalization Service, 1977", including the expenses of an attendant, if necessary.

Signature: Thomas H. H. H. H.

ACTING

Title: ASSISTANT DISTRICT DIRECTOR FOR DEPORTATION

Date: DECEMBER 27, 1976

Place: NEW YORK, NEW YORK

②

COPY RECEIVED

Robert B. Fiske Esq.
UNITED STATES ATTORNEY

3/28/77
Marian F. Bryant